

ANTHONY R. GALLAGHER  
Attorney at Law  
3501 12th Avenue South  
Great Falls, MT 59405  
anthonygallagherlaw@aol.com  
Phone: (406) 799-2165  
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DACOTA ROBERT ROGERS,

Defendant.

Case No. CR-13-15-BU-SEH

DEFENDANT'S  
OPPOSED  
MOTION TO REDUCE  
SENTENCE PURSUANT TO  
18 USC §3582(c)(1)(A)(i)

Dacota Robert Rogers (hereafter “Mr. Rogers”), by and through retained counsel, Anthony R. Gallagher, respectfully moves pursuant to 18 USC §3582(c)(1)(A)(i) for an order reducing his sentence to time-served based on the “extraordinary and compelling” reasons as set forth in detail in the brief that supports this motion, which has been contemporaneously filed with the Court.

Mr. Rogers states as grounds for his motion pursuant to the First Step Act that this Court has jurisdiction to determine whether “extraordinary and compelling reasons” warrant a reduction in his sentence after consideration of sentencing factors under 18 USC §3553(a) and the Sentencing Commission’s policy statement on reduction of sentence in USSG §1B1.13. Mr. Rogers has a solid release plan as articulated in the Memorandum contemporaneously filed with this Motion in accord with Local Rule CR 47.2.

The United States has been contacted as required by Local Rule CR 47.1. Assistant United States Attorney Tara J. Elliott advised that the Government opposes this Motion.

RESPECTFULLY SUBMITTED this 9th day of December 2022.

/s/ Anthony R. Gallagher  
Attorney for Dakota Robert Rogers

## CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2022, a copy of the foregoing document was served on the following persons by the following means:

<u>1, 2</u>	CM-ECF
<u>4</u>	Mail
<u>3</u>	E-Mail

1. CLERK,  
U.S. DISTRICT COURT

3. U.S. Probation Office  
Great Falls

2. TARA J. ELLIOTT  
Assistant U.S. Attorney  
Counsel for United States

4. DACOTA R. ROGERS  
Defendant

/s/ Anthony R. Gallagher